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UNITED STATES BANKRUPTCY COURT

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NORTHERN DISTRICT OF CALIFORNIA

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SAN FRANCISCO DIVISION

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In re

Case No. 05-30145 TC

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17 FIRST VIRTUAL COMMUNICATIONS,
INC.,

Chapter 11 Case

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Debtor,

NOTICE OF TENTATIVE HEARING
ON REQUEST FOR PAYMENT OF
ADMINISTRATIVE EXPENSE

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[11 U.S.C. §365(d)(3); B.L.R. 9014-
1(b)(3)(A)-(B)]

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Tentative Hearing Date: July 29, 2005

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Tentative Hearing Time: 9:30 AM

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Courtroom: 23, 235 Pine Street,
San Francisco, California

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1 REQUEST IS HEREBY MADE, pursuant to 11 U.S.C. sections 365(d)(3)
2 and 503(b) and Bankruptcy Rule 9014-1, that payment be made immediately to
3 Creditor Westport, lessor of the real property commonly known as 320 Bridge
4 Parkway, Suite 202, Redwood City, California (the “Premises”) to Debtor First
5 Virtual Communications, Inc. (“Debtor”), in the amount of \$120,259.93. The
6 amount represents rents and other charges accruing post-petition on the Premises
7 from the date of Debtor’s filing of the bankruptcy petition on January 20, 2005
8 (“Petition Date”) through the date the lease for the Premises was rejected on
9 March 24, 2005. These post-petition rents are actual, necessary costs and
10 expenses of preserving the estate in that the Debtor retained possession of and
11 continued to use the Premises until they were rejected.

12 This motion will be based upon this Notice, the Request for Payment of
13 Administrative Expense, the Declaration of Maureen A. Harrington in Support, the
14 Declaration of Jeannette Schirtzinger in Support, and all papers and records on file
15 in this action.

16 Copies of the papers filed in support of this motion may be obtained by
17 contacting the undersigned, or at the Office of the Clerk of the United States
18 Bankruptcy Court, 235 Pine Street, San Francisco, California.

19 **NOTICE OF TENTATIVE HEARING DATE**
20 **PLEASE TAKE NOTICE THAT BANKRUPTCY LOCAL RULE 9014-1**
21 **GOVERNS THIS “REQUEST ETC.” AND THIS RULE REQUIRES THAT**
22 **ANY OBJECTION TO THE RELIEF REQUESTED BY THIS “REQUEST**
23 **ETC.,” OR A REQUEST FOR HEARING ON THE MATTER, MUST BE**
24 **FILED WITH THE BANKRUPTCY COURT AND SERVED UPON**
25 **WESTPORT JOINT VENTURE (“WESTPORT”) THROUGH**
26 **WESTPORT’S COUNSEL, WITHIN 20 DAYS OF THE MAILING OF**

1 **THIS NOTICE. ANY SUCH REQUEST FOR HEARING OR OBJECTION**
2 **MUST BE ACCOMPANIED BY ANY DECLARATIONS OR**
3 **MEMORANDUM OF LAW THE PARTY OBJECTING OR REQUESTING**
4 **WISHES TO PRESENT TO SUPPORT ITS POSITION. IF THERE IS**
5 **NOT A TIMELY OBJECTION TO THE REQUESTED RELIEF OR A**
6 **REQUEST FOR HEARING, THE BANKRUPTCY COURT MAY ENTER**
7 **AN ORDER GRANTING THE RELIEF BY DEFAULT. IN THE EVENT**
8 **OF AN OBJECTION OR REQUEST FOR HEARING BEING TIMELY**
9 **MADE THE HEARING DATE WILL BE JULY 29, 2005 AT 9:30 AM IN**
10 **COURTROOM 23, 235 PINE STREET, SAN FRANCISCO, CA 94014.**

11 Dated: June 22, 2005

McGRANE, GREENFIELD, HANNON
& HARRINGTON LLP

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By: /s/ Maureen A. Harrington
Maureen A. Harrington
Attorneys for Landlord Westport Joint
Venture

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